

SRI K. KENCHAPPA.—I rise to a point of order. The Hon'ble Minister was pleased to say that if the land is not available for gomal it cannot be given; is it not against the provisions of law to say that there is no scope for Government to acquire land and give it for gomal?

SRI Kadidal MANJAPPA.—I am positive that there is no provision in law compelling the Government to acquire land for gomal purposes. Perhaps the Hon'ble Member is relying on certain section in the Revenue Manual.

Reversion of First Division Clerks in the Revenue Department in Bellary District.

*Q.—21. **SRI M. M. J. SADYOJATHAPPIAH** (Harapanahalli).—

Will the Government be pleased to state:—

(a) whether it is a fact that some Second Division Clerks in the Revenue Department in Bellary District who were promoted as First Division Clerks before 1st November 1956 and who were exempted from passing the departmental tests on the ground that they are above the age of 45 years have now been reverted after about 3 years of service in the First Division cadre;

(b) whether such clerks are exempted from passing tests in the integrated areas?

A.—**SRI Kadidal MANJAPPA** (Minister for Revenue).—

(a) Yes. It is a fact that in the absence of qualified officials, some II Division Clerks in the Revenue Department in Bellary District who were not qualified had been temporarily promoted by the Deputy Commissioner, Bellary, subject to passing the prescribed tests. They had not been granted exemption from passing the tests. The exemption granted in general to officials who are over 45 years of age is for them to earn increments but not for promotions. As these officials who were promoted on certain conditions did not qualify themselves by passing the tests and as other qualified candi-

dates became available, they were reverted.

(b) Yes. As stated above, the exemption is only to enable the officials to draw increments but not for promotions.

SRI M. M. J. SADYOJATHAPPIAH.—I have no supplementaries.

Election of President of Harapanahalli Panchayat.

*Q.—22. **SRI M. M. J. SADYOJATHAPPIAH** (Harapanahalli).—

Will the Government be pleased to state:—

(a) whether any request has been made to the Deputy Commissioner, Bellary, to postpone the election of the President of Harpanahalli Panchayat;

(b) whether the Government has directed the Deputy Commissioner to postpone the election;

(c) whether the election was postponed;

(d) if not, why it was not postponed?

A.—**SRI T. SUBRAMANYA** (Minister for Law, Labour and Local Self-Government).—

(a) No.

(b) Yes.

(c) No.

(d) It was found that postponement of election was not permissible in this case.

SRI M. M. J. SADYOJATHAPPIAH.—Under which rule the Government has directed the Deputy Commissioner to postpone the election?

SRI T. SUBRAMANYA.—It was thought that the election could be postponed because of the new enactment we have passed. Harapanahalli becomes a municipality when the new Bill is enforced and therefore we did not want to have two elections in the course of six or seven months. We asked the Deputy Commissioner to examine the request made and report to Government whether it is feasible to postpone the election.

SRI M. RAMAPPA.—Who has made the request?

Sri T. SUBRAMANYA.—The request came from the head of a political party in the district.

Sri M. RAMAPPA.—Is it a fact that Sri Sirsappa Izari has made the request?

Mr. SPEAKER.—No names.

Sri M. RAMAPPA.—Is it true that you have written to the Deputy Commissioner that one particular gentleman in the district has made a request and so the elections may be postponed?

Sri T. SUBRAMANYA.—I have not written like that.

Sri C. K. RAJAIAH SETTY.—Is it the policy of the Government to change their decisions on the request of a political party?

Sri T. SUBRAMANYA.—No; but whenever a representation is made by any political party we take that also into consideration. Therefore if the head of a party either at the State or district level makes a representation we take that also into consideration and pass orders.

Sri J. B. MALLARADHYA.—I invite attention to the answer to (d) “It was found that postponement of election was not permissible in this case”; when the Government make an admission like that, why is it that Government wrote to the Deputy Commissioner to postpone the election?

Sri T. SUBRAMANYA.—When the representation came to us we wrote to the Deputy Commissioner to postpone the election if the law allowed it. Then it was brought to our notice that we could not postpone it under the enactment because the general elections would not be held within three months, and if they were held within three months we could postpone this election also. Then we issued instructions to the Deputy Commissioner to hold the election.

Sri J. B. MALLARADHYA.—Was there any bankruptcy of legal talent in Government not to advise that it was not permissible? Should the Deputy Commissioner invite attention of Government to legal provisions in this case and was there none at the

Secretariat level to advise the Government?

Sri T. SUBRAMANYA.—The insinuation is incorrect.

Sri J. B. MALLARADHYA.—The inference is obvious.

Sri T. SUBRAMANYA.—The inference also is not correct. My friend will kindly note as to how it happened. A representation was sent to Government that the election may be postponed in view of the fact that fresh elections would be held within a short time. Therefore Government said that it would be better to consult the Deputy Commissioner and he was asked to postpone it if it was in accordance with law. So it does not show any paucity of legal talent in the Secretariat. We have two senior District Judges to advise us and their work has been very satisfactory from our point of view. The moment the law was brought to our notice that we could not postpone the election, we said that election shall be held though it might cause inconvenience to the parties.

Sri M. RAMAPPA.—Is it correct for the Government to forward the letter of an individual to the Deputy Commissioner?

Sri T. SUBRAMANYA.—When it is a general question concerning the public and if a representation is made there is nothing confidential involved in it and so it is treated on public level and letters are forwarded. But if it is a confidential report which would involve the prestige of any individual, we take only extracts and send.

Sri C. J. MUCKANNAPPA.—Is it the leader of a political institution or the Deputy Commissioner that is held responsible if anything goes wrong?

Mr. SPEAKER.—The Hon'ble Member may put a particular question.

Sri C. J. MUCKANNAPPA.—Did the Government ascertain the views of the Deputy Commissioner before sending this letter to him whether the election can be postponed or whether it should be held?

Sri T. SUBRAMANYA.—I have already answered that a representation was made and we sent it to the Deputy Commissioner to postpone the election if the law provides for it.

Permanent Civil Court for Saundatti in Belgaum District.

*Q.—26. **Sri H. V. KOJALGI** (Sampagaon I).—

Will the Government be pleased to state:—

(a) whether any representation has been made by the public of Parasgad taluk to establish a permanent civil court at Saundatti in Belgaum district;

(b) if so, the steps taken by the Government in the matter?

A.—**Sri B. D. JATTI** (Chief Minister).—

(a) There is no representation from the public but the President, Saundatti Yellamma Municipality, has given a representation to Government requesting for the establishment of a Civil-cum-Criminal Court at Saundatti.

(b) The proposal is under consideration of Government.

Sri H. V. KOJALGI.—May I know whether the High Court have been consulted in the matter and whether their proposal is under consideration?

Sri B. D. JATTI.—Yes.

Sri H. V. KOJALGI.—At what stage it is?

Sri B. D. JATTI.—It has come to the final stage.

Construction of Maternity Ward at Muragod in Belgaum District.

*Q.—28. **Sri H. V. KOJALGI** (Sampagaon I).—

Will the Government be pleased to state:—

(a) the steps taken by them to construct a new building for maternity ward at Muragod, Belgaum district, sanctioned under the post-war reconstruction scheme;

(b) whether it is not a fact that the maternity ward is housed in a hired building which is most unsuited for the purpose?

A.—**Sri K. K. HEGDE** (Minister for Health).—

(a) Type designs for the building have been sent to the Executive Engineer, Belgaum Division, and estimates are awaited.

(b) Yes; the building is not satisfactory.

Sri H. V. KOJALGI.—May I know when the type designs have been sent to the P.W.D.?

†**Sri K. K. HEGDE.**—In the latter part of last year.

Purchase of Gold of Kolar Gold Fields by the Government of India

*Q.—30. **Sri H. V. KOJALGI** (Sampagaon I).—

Will the Government be pleased to state:—

(a) whether it is a fact that the Government of India has made an agreement with the Government of Mysore to purchase the gold of Kolar Gold Field at a fixed price;

(b) if so, from what date and at what rate and other terms, etc.;

(c) in what way these terms are beneficial to the State of Mysore?

A.—**Sri T. MARIAPPA** (Minister for Finance).—

(a) The State Government have agreed to hand over gold produced by the Kolar Gold Mining Undertakings and the Hatti Gold Mines to the Government of India.

(b) From July 1958, the State Government is getting value not less than market rate.

(c) The State Government gets the most advantageous rate for the gold.

Sri H. V. KOJALGI.—May I know the circumstances that led the Government to enter into this contract or arrangement?

Sri T. MARIAPPA.—With your permission, Sir, I shall sit and answer.

Mr. SPEAKER.—Yes.